



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Pat nt Examining Operations

#7  
Amend. #1  
5.6.3

Applicant(s): Patience et al  
Serial No: 10/029,656 Art Unit: 1648  
Filed: 21 December 2001 Examiner: S. Foley  
Title: Molecular Sequence of Pig Endogenous Retrovirus Receptors and  
Methods of Use  
Docket No: 329579-3

(1202)  
4x18=72  
(1201)  
84=84

Commissioner for Patents  
Washington, D.C. 20231

24 April 2003

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MAY 02 2003

PRELIMINARY AMENDMENT

TECH CENTER 1600/2900

Sir:

In response to the Restriction Requirement of 25 February 2003, Applicant requests that, prior to examination on the merits, the application should be amended as follows:

05/07/2003 CTHOMAS2 00000001 030678 10029656  
01 FC:1202 36.00 CH  
02 FC:1201 84.00 CH

05/07/2003 CTHOMAS2 00000002 030678 10029656  
01 FC:1202 36.00 CH



#1  
Election  
5.6.3

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RESPONSE TO RESTRICTION REQUIREMENT

Sir:


In response to the Restriction Requirement of 25 February 2003, Applicant responds by electing Group VI (claim 7) drawn to an isolated polypeptide comprising SEQ ID NO: 14 with traverse. Applicant also includes herewith a preliminary amendment containing several additional claims directed to SEQ ID NO: 14.

Applicant believes that, for purposes of examination, Group VI should be joined with at least Group XIV (claims 18-25) drawn to a method of identifying a compound that interferes with PERV-binding to a cell by contacting a compound with a PERV receptor. Applicant urges that the recited PERV-receptor includes the polypeptide of claim 7 (Group VI). It is conceded in the Restriction grounds (page 6, lines 7-8 of the Restriction - Paper 5) that this process can be used with the polypeptide of Group VI. Thus, any search of the art for the polypeptide sequence of SEQ ID NO: 14 would necessarily disclose references teaching uses of such polypeptide so that if the

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polypeptide is free of the art then its use in the process of claims 18-25 would be free of the art also. If these groups are joined, Applicant further elects the nucleic acid sequence of SEQ ID NO: 13.

The Commissioner is authorized to charge payment of any additional filing fees required under 37 CFR 1.16 associated with this communication or credit any overpayment to Deposit Account No. 03-0678.

<b><u>FIRST CLASS CERTIFICATE</u></b>	
I hereby certify that this correspondence is being deposited today with the U.S. Postal Service as First Class Mail in an envelope addressed to:	
Commissioner for Patents Washington, DC 20231	
 Alan J. Grant, Esq.	<u>4/24/03</u> Date

Respectfully submitted,



Alan J. Grant, Esq.  
Reg. No. 33,389

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